REMARKS

Status of the Claims

Claims 1-23 are pending in the application. Claims 1 and 13 have been amended. No new matter is included in the amendments. Claim 4, and 15-16 have been canceled without prejudice. No claims have been allowed.

Rejections under 35 U.S.C. § 101

Claims 1-11 and 13-22 were rejected under 35 U.S.C. § 101 as being directed to nonstatutory subject matter. Independent claims 1 and 13 have been amended in order to more clearly recite the patentable subject matter in compliance with 35 U.S.C. § 101. Withdrawal of the rejection is respectfully requested.

Rejections under 35 U.S.C. § 103

Claim 1-3, 5-6, 10, 12-14, 17-18, and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rose et al. (US Patent No 5,770,843, hereinafter "Rose") in view of Tu et al. (US Patent No 7,499,888, hereinafter "Tu"), and further in view of in view of Yun et al. (US Pub. No 2002/0069122, hereinafter "Yun"). Applicants respectfully submit that the claims as amended would not have been obvious in view of the prior art.

Rose discloses a magnetic card for accessing an electronic terminal such as an ATM. The card is associated with a PIN that the user enters. The ATM, or similar device has access to a database (Figure 5C) for example, that stores information for multiple accounts for the user. Specifically, the information is account numbers and respective account PINs for the card holder. If the user has more than one account, the user must identify the account to be accessed (Figure 6). After the account has been identified and the account-specific PIN is entered by the user, the ATM transaction proceeds in the conventional manner. That is, the appropriate institution is contacted for the purpose of withdrawing money from the designated account. Therefore,

Applicants respectfully disagree that Rose teaches a financial management system. Rose also fails to the obtaining user information from third parties as claimed. For example, Rose does not teach:

> the financial management system obtaining data comprising user information via a network, wherein obtaining comprises obtaining user information from third parties in real-time using the received user information on the user's behalf, the third parties including a credit reporting service and a department of motor vehicles
> (Claim 1 as amended)

Rose also fails to teach or disclose executing a transaction as claimed. Rose does not perform a debit transaction and a credit transaction through an intermediate financial institution as claimed.

Yun is cited for disclosing a registry website. Yun teaches "a method and system for facilitating an electronic commerce (e-commerce) transaction by a consumer, the method comprising: acquiring a purchase amount for an e-commerce transaction between a consumer and an Internet shopping portal; querying each of a plurality of consumer accounts for associated financial information; evaluating said associated financial information obtained for each of the plurality of consumer accounts; and facilitating a selection of one or more accounts based on the evaluation step to enable the consumer to complete the e-commerce transaction." (Abstract). Therefore, Applicants respectfully disagree that Yun teaches logging a user into a financial management system as claimed.

The office action states: "Tu teaches the submission by a user of an incorrect PIN or password may result in event, or alternatively may result in the repetition of events an additional text message to the user indicating that the previously entered PIN or password was incorrect and inviting the user to enter the correct number or password (Col. 11 lines 48-59)." Applicants respectfully submit that Tu fails to teach verifying the user's identity, and instead only verifies that the user knows the correct PIN. In other words, in the method of Tu, the user could be anyone who knows the PIN, and the identity of the user is not verified. Tu specifically fails to disclose:

> the financial management system authenticating the user's ability to access the account based on the obtained information, wherein authenticating comprises verifying the user's identity by comparing user information received from the user with user information obtained;
>
> if the user's identity is not authenticated, <u>querying the user for additional user information</u>
>
> (Claim 1, emphasis added)

For all of these reasons, Applicants submit that the combination of the references does not result in the invention as claimed. Independent claims 1 and 13 each include limitations similar to those distinguished from the references above. Therefore, Applicants submit that claims 1 and 13, and their respective dependent claims which include further limitations, would not have been obvious in view of the cited references.

Dependent claims 4, 15, and 16 have been canceled herein without prejudice.

Applicants respectfully submit that the remaining dependent claims 2, 3, 5-12, 14, and 17-23 are each allowable as reciting further limitations on an allowable base claims according to the remarks above.
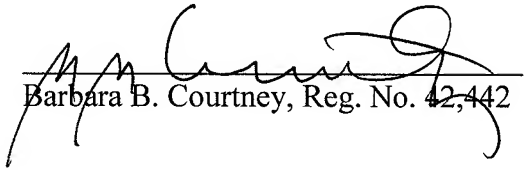
CONCLUSION

Applicants respectfully submit that the rejections have been overcome by the amendments and the claims as amended are allowable. The Examiner is invited to call the undersigned if there are any issues that remain to be resolved prior to allowance of the application.

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Please charge deposit account 503616 for any fees due and not already paid herewith.

Respectfully submitted,
Courtney Staniford & Gregory LLP

Date: April 29, 2010

Barbara B. Courtney, Reg. No. 42,442

Courtney Staniford & Gregory LLP
10001 N. De Anza Blvd., Suite 300
Cupertino, CA 95014
Tel: 408-342-1902
Fax: 408-342-1909